

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

**RENEE MASON, DPM,**

Plaintiff,

V.

BRIAN MAZZEI, ET AL.,

Defendants.

) ) ) ) ) ) ) ) )

Case No. 1:22CV00008

## JUDGMENT

JUDGE JAMES P. JONES

In accord with the Opinion entered herewith, it is **ORDERED** and **ADJUDGED** as follows:

1. The defendant Mazzei must provide to the plaintiff Mason a true and correct statement under oath of the monthly income and expenses of Abingdon Podiatry, PC (Abingdon Podiatry) so long as Abingdon Podiatry, or any other podiatry entity in which Mazzei has an interest, continues to use property of Abingdon Foot and Ankle, PC (the Corporation) and unless and until the parties agree otherwise or the Corporation is legally dissolved.
2. The defendant must provide the above-described sworn statement to the plaintiff on or before the 15th day of each following month, with the first report being due to the plaintiff on or before April 15, 2023, for the month of March of 2023.

3. Any profits that are derived from the use of the Corporation's property by Abingdon Podiatry and/or Mazzei, as well as the property itself, is hereby held in constructive trust for the benefit of the Corporation. Such property must not be otherwise transferred or otherwise disposed of unless and until the parties agree or the Corporation is properly dissolved pursuant to law.
4. To the extent Mazzei withdraws or otherwise disposes of Corporation property, including funds, that are currently retained by the Corporation, and as long as Mason remains as co-owner of the Corporation, Mazzei must provide an accounting under oath to Mason regarding such transactions, must pay Mason her share of any legal distributions declared, and must return any property to the Corporation to the extent the transaction is improper under the Corporation's bylaws or Virginia law. Such accounting must be rendered within 30 days following any such transaction, unless otherwise agreed by the parties.
5. Judgment is entered in favor of Renee Mason against Brian Mazzei in the total amount of \$16,295.50, which amount represents \$15,185.50 in the principal amount, together with prejudgment simple interest to this date at the rate of six percent per annum from December 28, 2021, in the amount of \$1,110.

6. Post judgment interest shall accrue on the total sum awarded at the federal rate from this date. 18 U.S.C. § 1961.
7. Nothing further to be done herein, the Clerk shall close the case.

ENTER: March 17, 2023

/s/ JAMES P. JONES  
Senior United States District Judge